

From: Fred Fenner
To: Microsoft ATR
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Subject: Microsoft Settlement

To whom it may concern,

The settlement proposed in the case against Microsoft (MS) will *not* resolve the problems that prompted the case. This case was not about saving Sun Microsystems and Netscape from the abuses of MS. These two companies have both in their own way tried to do what MS has in abusing its monopoly position in the market. Netscape was well on its way to destroying all other web browsers when MS came along and did the same to them, so I have ZERO sympathy for Netscape. Sun's efforts to control Java while trying to make it a "standard" are contradictory at best.

The problem that needs to be addressed in the MS antitrust settlement is "how do we make the market more competitive?". Breaking up MS won't work because you'll have 2+ "baby Bills" out there pulling the same shenanigans. The antitrust suit against IBM was dropped (for good reason), because IBM had reformed its practices enough to make the case irrelevant. MS has proven time and again they have zero respect for the "rule of law", and figure they can get away with anything through delay tactics, PR, and huge campaign donations.

The current MS "abuse of monopoly" is no longer a Windows problem, but is an OFFICE problem. The Office Suite product line is the MS cash cow, and MS used Windows to create its Office monopoly. MS has control of the desktop OS market, and only time can erode their commanding market share there.

The key to getting MS to behave is force them to make MS-Office run on at minimum 3 other Operating Systems with the same exact functionality as the Windows version for 10 years. Next they must also be forced to stop giving discounts on Windows to OEMs that "play ball" by not promoting non-MS products.

If MS wants to make a donation to the schools as part of any settlement, then it should be "hardware only" for any monetary value. If they also want to donate the software, then it must be completely free and include unlimited usage licenses. This will allow schools to decide if they want MS products for free or Open Source products at the same price.

Fred Fenner
fred@fredfenner.com
435.586.3582 Vmail
720.294.2329 Fax